

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET SW
WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

ENGINEER: CHARLES N. (NORM) MILLER
TELEPHONE: (202) 418-2767
FACSIMILE: (202) 418-1410
E-MAIL: charles.miller@fcc.gov

December 4, 2009

Cary S. Tepper, Esq.
Booth, Freret, Imlay & Tepper, P.C.
7900 Wisconsin Avenue, Suite 304
Bethesda, Maryland 20814-3628

Re: KNMB (FM), Cloudcroft, New Mexico
Facility Identification Number : 87766
MTD, Inc.
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed November 20, 2009, on behalf of MTD, Inc. ("MTD"), for further extension of the special temporary authority ("STA") granted on February 5, 2004, to operate Station KNMB with reduced power from a site other than the licensed site.¹ In support of the request, MTD provides a report of its progress toward locating a new site for the station. MTD states that its Application BPH-20070228AAG was dismissed by the staff for failure to prosecute, due to a breakdown in negotiations with the Mescalero Tribe for use of the proposed site on tribal land. MTD further states that it has located an alternative site and that discussions are underway toward construction of a new tower at that site.

Requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Our review indicates that the licensee has been prevented from restoring licensed operation due to causes beyond its control, and that it has taken all possible steps to expeditiously resolve the problem.

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station KNMB may continue to operate with the following facilities:

¹ KNMB is licensed to Cloudcroft, New Mexico, for operation on Channel 244C (96.7 MHz) with effective radiated power ("ERP") of 25 kilowatts (H&V) and antenna height above average terrain ("HAAT") of 878 meters.

Geographic coordinates:	32° 57' 42" N, 105° 44' 26" W (NAD 1927)
Channel	244 (96.7 MHz)
Effective radiated power:	0.009 kilowatt (H&V)
Antenna manufacturer and type	SWR, FM3/1
Antenna height:	
above ground:	40 meters
above mean sea level:	2448 meters
above average terrain:	287 meters

MTD must notify the Commission when licensed operation is restored. MTD must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **June 4, 2010**.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles N. Miller", with a long horizontal flourish extending to the right.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: MTD, Inc.